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Corporation; Polo Retail, LLC; Polo Ralph Lauren
16 Corporation, doing business in California as Polo Retail
Corporation; and Fashions Outlet of America, Inc.
17

18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA**

20 ANN OTSUKA, an individual; JANIS KEEFE,
an individual; CORINNE PHIPPS, and
21 individual; JUSTIN KISER, an individual; and
RENEE DAVIS, an individual on behalf of all
22 others similarly situated,

23 Plaintiffs,

24 v.

25 POLO RALPH LAUREN CORPORATION, a
Delaware Corporation; et al.,

26 Defendants.

27 AND RELATED CROSS-ACTIONS.
28

Case No. C07-02780 SI

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE HEARING
DATES FOR THE MOTION TO DISMISS
SECOND AMENDED COMPLAINT AND
RE CASE MANAGEMENT CONFERENCE

Current Date: January 18, 2008
Proposed Date: January 25, 2008
Time: 9:00 a.m.
Dept: Courtroom 10, 19th Fl.
Judge: Hon. Susan Illston

1 Plaintiffs Ann Otsuka Janis Keefe, Corinne Phipps, Justin Kiser and Renee Davis
2 (collectively "Plaintiffs") and Defendants Polo Ralph Lauren Corporation, Polo Retail, LLC,
3 Polo Ralph Lauren Corporation, Polo Retail Corporation, and Fashions Outlet of America, Inc.
4 (collectively "Defendants"), by and through their respective counsel, hereby agree as follows:

5 The parties request that the hearing regarding Defendants' Motion to Dismiss Second
6 Amended Complaint, presently scheduled for January 18, 2008 at 9:00 a.m. and the Case
7 Management Conference, presently scheduled for January 18, 2008 at 2:00 p.m. be continued
8 to January 25, 2008 at 9:00 a.m. and 2:00 p.m., respectively.

9 In an effort to move this litigation forward, the parties are engaged in the exchange of
10 discovery including the conducting of depositions. By mutual agreement, the parties presently
11 have scheduled depositions of witnesses in the State of New York for January 16 -18, 2008.

12 Due to the scheduling of these depositions, the parties are unable to attend the hearing
13 regarding Defendants' Motion to Dismiss Second Amended Complaint and Case Management
14 Conference as presently scheduled.

15 Furthermore, the scheduling demands of defense counsel preclude hearing dates
16 scheduled for the month of February. William J. Goines, lead defense counsel for Defendants,
17 will be out of the country February 12 - 28, 2008.

18 The determination of Defendants' Motion, which seeks to dismiss the majority of the
19 claims brought forth by new Plaintiff, Renee Davis, also necessitates a hearing date in January.

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1 For the foregoing reasons, the parties stipulate and agree to a continuance to January 25,
2 2008 at 9:00 a.m. for a hearing on Defendants' Motion to Dismiss and at 2:00 p.m. for a Case
3 Management Hearing.

4
5 IT IS SO STIPULATED.

6
7 Dated: January 9, 2008

GREENBERG TRAURIG, LLP

8
9 By: /s/ William J. Goines

10 William J. Goines
Jeremy A. Meier
Alisha M. Louie

11 Attorneys for Defendants Polo Ralph Lauren
12 Corporation; Polo Retail, LLC; Polo Ralph
13 Lauren Corporation, doing business in
14 California as Polo Retail Corporation; and
Fashions Outlet of America, Inc

15 Dated: January 9, 2008

16 THE LAW OFFICE OF PATRICK R.
17 KITCHIN

18 By: /s/ Patrick R. Kitchin

19 Patrick R. Kitchin

20 Attorney for Janis Keefe, Corinne Phipps,
21 Justin Kiser and Renee Davis

22 Dated: January 9, 2008

23 THE LAW OFFICES OF DANIEL FEDER

24 By: /s/ Daniel Feder

25 Daniel Feder

26 Attorney for Ann Otsuka
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[PROPOSED] ORDER

IT IS HEREBY ORDERED:

1. The hearing on Plaintiffs' Motion to Dismiss Second Amended Complaint is ~~continued until January 25, 2008 at 9:00 a.m.~~ VACATED
2. The Case Management Conference hearing is continued until January 25, 2008 at 2:00 p.m. The parties shall file a Joint Case Management Statement on January 21, 2008.



U.S. District Court Judge
Honorable Susan Illston

ATTESTATION CLAUSE

I, William J. Goines, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order to Continue Hearing Dates for the Motion to Dismiss Second Amended Complaint and Re Case Management Conference. In compliance with General Order 45, X.B., I hereby attest that Patrick R. Kitchen and Daniel Feder have concurred in this filing.

Date: January 9, 2008

GREENBERG TRAURIG LLP

By: /s/ Willaim J. Goines
Willaim J. Goines